IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 404 OF 2006
IN
NOTICE OF MOTION NO. 3193 OF 2005
IN
SUIT NO.2875 OF 2005

Poonam Omkarsingh surana and anr ....Appellants

versus

Ramesh Pukhraj Jain ....Respondent

Mr. Bharat Vaishnava for the appellants.

None for respondent

CORAM: KSHITIJ R. VYAS, C.J., &
ABHAY S. OKA,J.

DATE: JUNE 19, 2006.

P.C.

The appellants have challenged the order dated 26th April, 2006 passed in Notice of Motion No.3193 of 2005 in Suit No. 2875 of 2005 by the learned Single Judge, whereby the learned Single Judge, has granted ad-interim relief in terms of prayer clause (a) of the motion. In other words the learned Single Judge has appointed the Court Receiver in respect of the assets and books of accounts of the partnership firm.

2. In view of the fact that the motion is pending, we are not inclined to entertain the appeal at this stage and secondly the Court Receiver has already taken possession of the property as per the directions of the learned Single Judge. In this view of the matter, we decline to interfere with the impugned order. Till the learned Single Judge decides the matter the order dated l5th May, 2006 passed by the learned Vacation Judge shall continue. Considering the request of the learned counsel for the appellants, we request the learned Single Judge to hear the motion as expeditiously as possible. With the above observations the appeal stands dismissed without going into the merits of the case.

CHIEF JUSTICE

ABHAY S. OKA, J.